IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY PETITION No. 245 of 2003

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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JYOTI LTD. - Petitioner(s)

Versus

SWADIA BROTHERS ENGINEERING PVT. LTD. - Respondent(s)

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Appearance :

MMR ABHISHEK MEHTA for M/S TRIVEDI & GUPTA for Petitioner(s) : 1,-present

DS AFF.NOT FILED (N) for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 10/02/2006

ORAL JUDGMENT

1. Shri Abhishek Mehta, learned counsel for the petitioner. None for the respondent. Affidavit showing direct service has already been filed. Mr. Mishra, Deputy Official Liquidator submits that in Company Petition No. 26/2003 between Crompton Greaves Ltd. and M/s. Swadiya

Brothers Engineering Pvt. Ltd. [respondent company in the present matter], by order dated 24.11.2005, this Court has already issued direction of winding up of the company and the Official Liquidator has been appointed as Official Liquidator for taking possession of the property and making necessary inventory. In view of the said statement and in view of the order of winding up already passed, no further orders can be passed in this petition. The petition is disposed of as infructuous. The petitioner, however, shall be entitled to take part in all the proceedings in the above-referred company petition.

[R.S. GARG, J.]

pirzada/-